



# The Human Rights Conditions That Affect Politics and Government Stability in The United Kingdom

Rachel R. Cornell

Presenter World News and Infotainment, United Kingdom, E-mail: [cornellrachel@yahoo.com](mailto:cornellrachel@yahoo.com)

**Abstract.** *In 2023, the UK government eroded domestic human rights protections and reneged on important international obligations. The government passed a law further criminalizing protesters and limiting workers' strikes. A new law will ban people who arrive "irregularly" to the UK from claiming asylum or accessing protection, putting them at further risk of harm<sup>1</sup>. This paper will discuss about government who again failed to take meaningful steps to tackle institutional racism and address past wrongs, including to fairly compensate Black Britons whose rights were harmed by government policies in what was coined the "Windrush scandal" and to remedy ongoing colonial crimes against the Chagossian people. The UK's nose-diving domestic human rights record undermined its efforts to promote the rule of law and human rights globally<sup>2</sup>.*

**Keywords:** *Human Rights; Politic; Stability.*

## 1. Introduction

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. The Human Rights<sup>3</sup> Act came into force in the UK in October 2000.

The human rights that are covered by the Act

The Act sets out your human rights in a series of 'Articles'. Each Article deals with a different right. These are all taken from the ECHR and are commonly known as 'the Convention Rights':

- Article 2: Right to life

<sup>1</sup> <https://www.hrw.org/world-report/2024/country-chapters/united-kingdom>

<sup>2</sup> Human Rights Education Association: Study Guides: The Study Guides offer introductions to various human rights topics. The guides present definitions, key rights at stake, human rights instruments, and protection and assistance agencies. They guides also offer links to the full text of international treaties relevant for the topic, and other useful resources on the HREA and University of Minnesota Human Rights Library web sites.

<sup>3</sup> Derechos Human Rights Links - Articles on Human Rights lots of great issue articles and country specific articles as well

- Article 3: Freedom from torture and inhuman or degrading treatment
- Article 4: Freedom from slavery and forced labour
- Article 5: Right to liberty and security
- Article 6: Right to a fair trial
- Article 7: No punishment without law
- Article 8: Respect for your private and family life, home and correspondence
- Article 9: Freedom of thought, belief and religion
- Article 10: Freedom of expression
- Article 11: Freedom of assembly and association
- Article 12: Right to marry and start a family
- Article 14: Protection from discrimination in respect of these rights and freedoms
- Protocol 1, Article 1: Right to peaceful enjoyment of your property
- Protocol 1, Article 2: Right to education
- Protocol 1, Article 3: Right to participate in free elections
- Protocol 13, Article 1: Abolition of the death penalty

### Articles 1 and 13

Articles 1 and 13 of the ECHR do not feature in the Act. This is because, by creating the Human Rights Act, the UK has fulfilled these rights.

For example, Article 1 says that states must secure the rights of the Convention in their own jurisdiction. The Human Rights Act is the main way of doing this for the UK.

Article 13 makes sure that if people's rights are violated they are able to access effective remedy. This means they can take their case to court to seek a judgment. The Human Rights Act is designed to make sure this happens<sup>4</sup>.

### What the Human Rights Act does

---

<sup>4</sup> A guide to human rights: institutions, standards, procedures. Edited by Janusz Symonides and Vladimir Volodin; preface by Koïchiro Matsuura. 2003 ed. Paris: Unesco, 2003.

The Act has three main effects:

1. You can seek justice in a British court

It incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law. This means that if your human rights have been breached, you can take your case to a British court rather than having to seek justice from the European Court of Human Rights in Strasbourg, France<sup>5</sup>.

2. Public bodies must respect your rights

It requires all public bodies (like courts, police, local authorities, hospitals and publicly funded schools) and other bodies carrying out public functions to respect and protect your human rights.

3. New laws are compatible with Convention rights

In practice it means that Parliament will nearly always make sure that new laws are compatible with the rights set out in the European Convention on Human Rights (although ultimately Parliament is sovereign and can pass laws which are incompatible). The courts will also, where possible, interpret laws in a way which is compatible with Convention rights<sup>6</sup>.

## 2. Research Methods

This research is a qualitative research with a literature approach from both primary and secondary data sources. Data based on real field phenomena concerning human rights, social, political and even extending into the governance system, both positive and negative. Then analyzed to obtain a conclusion.

## 3. Result and Discussion

### 3.1. Rule of Law and Human Rights

Throughout 2023, the government introduced a number of laws that undermine free speech and democratic rights in the UK.

In April, the government adopted the controversial Public Order Act, further criminalizing people's right to peaceful protest, undermining the freedoms of expression, peaceful assembly, and association. The law came amid an ongoing crackdown on climate change protesters. The year started with at least 13 climate protesters behind bars, serving sentences

---

<sup>5</sup> Truth Commissions Digital Collection (U.S. Institute of Peace: <http://www.usip.org/library/formin.html>  
University of Minnesota Human Rights Library

<sup>6</sup> Firestone Library (F) HV6322.7 .H67 2006 see Firestone Library (F) JC571 .K36 2006, Firestone Library (F) JC571 .M3243 2000, Firestone Library (F) K3238 .B37 2006 and Firestone Library: Non Circulating (Fnc) JC571 .G655 2007

or awaiting trial. Further jail sentences were imposed in 2023. The Public Order Act was rushed through Parliament ahead of the coronation of King Charles III, and dozens were arrested on the day of the coronation, including six anti-monarchy protesters<sup>7</sup>.

In June, the government introduced an anti-boycott bill to Parliament, which will restrict public bodies, including universities and local councils, from directing investments to avoid contributing to human rights abuses and international crimes, such as divesting from companies complicit in the Chinese government's repression of Uyghurs or in Israeli officials' crime against humanity of apartheid and war crimes linked to Israeli settlements in the occupied West Bank<sup>8</sup>.

In a positive move, also in June, the government dropped plans to repeal the Human Rights Act and replace it with a weaker Bill of Rights. Members of the ruling Conservative party, including a government minister, continued to discuss the possibility of the UK withdrawing from the European Convention on Human Rights.

### **3.2. Asylum and Migration**

In July, the UK government adopted the Illegal Migration Act, which bans access to asylum and modern slavery and trafficking protections for anyone who arrives "irregularly" to the UK. People arriving without proper documentation will be automatically detained, including families with children and unaccompanied children—with no right of appeal—pending removal to their home country if it is a "safe country of origin" or to a "safe third country." The act is a flagrant breach of the UK's international obligations, including under the United Nations Refugee Convention<sup>9</sup>.

The UK government continued to defend its controversial asylum deal with Rwanda, despite Rwanda not being a safe third country for asylum seekers. In June, the UK Court of Appeal ruled the deal unlawful, concluding that there is a real risk that asylum seekers sent to Rwanda would be returned to their home countries and subjected to risk of persecution or other inhumane treatment. In July, the government was granted permission to appeal to the Supreme Court. In November, in a significant judgment, the Supreme Court ruled the UK-Rwanda scheme unlawful, as it found that Rwanda is not a safe third country for the UK government to send asylum seekers. The government has vowed to introduce emergency legislation and sign a treaty with Rwanda, but the UK cannot legislate or agree away the facts or its international obligations.

---

<sup>7</sup> Aboriginal Law and Legislation: <http://www.bloorstreet.com/300block/ablawleg.htm> see to Basic documents on human rights. Edited by Ian Brownlie and Guy S. Goodwin-Gill. 5th ed. Oxford ; New York : Oxford University Press, 2006.

<sup>8</sup> <https://www.bbc.com/news/politics>

<sup>9</sup> International encyclopedia of human rights: freedoms, abuses, and remedies. Robert L. Maddex. Washington, D.C. : CQ Press, c2000.

Children and their families seeking asylum face inadequate living conditions in government-provided temporary housing—including rat infestations and mold—affecting their health, well-being, and education. Asylum seekers with disabilities continued to be housed in accommodation without access to adequate support and services.

### **3.3. Rights to Social Security, Food, and Adequate Housing**

Despite an ongoing cost of living crisis, the UK government failed to set social security payments at a level that ensures recipients can enjoy their rights and live with dignity. Campaigners called for an independent evaluation to determine adequate social security payments and for the establishment of a legally guaranteed minimum level below which social security payments cannot fall.

Food bank usage increased again. In November 2023, the UK's largest food bank network, Trussell Trust, reported distributing 1.6 million emergency food parcels between April and September, about 16 percent more than in the same period last year. Two-thirds of its parcels were for households with children. The Independent Food Aid Network (IFAN) reported in August that food banks in its network reported an 84 percent increase in need compared to last summer<sup>10</sup>.

Government figures show that homelessness in England reached new heights in 2023. As of the end of March, almost 105,000 households, including more than 131,000 children, were placed in temporary accommodation, rising by 10 percent compared to last year.

Despite an insufficient supply of affordable housing, and more than 1.2 million households on social housing waiting lists in England, state authorities built only 7,644 social housing homes in 2022 compared to 39,562 in 2010. Inadequate levels of housing benefit and social housing construction continued to leave households stuck in temporary accommodation, denying people their right to adequate housing.

### **3.4. Women's and Girls' Rights**

In June, a woman was sentenced to 28 months in jail for procuring pills for a medication abortion to terminate a pregnancy beyond the legal timeframe, which is punishable with up to a life sentence. The case sparked calls for an overhaul of outdated abortion laws in England and Wales, which require authorization from two doctors for an abortion, among other barriers. In July, an appeals court halved and suspended the woman's sentence.

In March, media reports revealed that police had referred thousands of women domestic violence victims and child victims of sexual exploitation to immigration authorities between 2020 and 2022. Women's rights groups have long noted that such practices deter victims from

---

<sup>10</sup> Trustee Reading Room Reference (DR) JC571 .E673 2009 see Trustee Reading Room Reference (DR): Firestone JC571 .G85 2003 Encyclopedia of war crimes and genocide. Leslie Alan Horvitz and Christopher Catherwood. New York : Facts on File, c2006.



accessing essential services and have called for “firewalls” between authorities and the Home Office to facilitate reporting of domestic and other gender-based violence.

Violence against women groups said that authorities continue to fail rape and domestic violence survivors two years after the End-to-End Rape Review revealed worrying decreases in rape prosecutions and convictions. Despite government claims of “significant improvement,” few rape victims report to police and prosecutions remain below 2016 levels.

Women continue to experience unequal pay. Data published by the Trade Union Congress in February show that the average woman in paid employment in the UK effectively works for free for nearly two months annually compared to the average man in paid employment<sup>11</sup>.

In March, the International Labour Organization Violence and Harassment Convention (C190) came into effect in the UK, after being ratified by the government in 2022.

### **3.5. Racism and Ethnic Discrimination**

Efforts to tackle racism and discrimination suffered setbacks during the year. A survey showed that over one-third of people from minority groups in the UK have experienced racist assaults.

Five years after the “Windrush scandal” became public, the UK government undermined its 30 commitments to right the wrongs experienced by hundreds of thousands of Black Britons from the Windrush generation who were deported, detained, and denied their rights because of repeated policy failings by the UK Home Office. People continue to face serious difficulties accessing the complex and inaccessible Windrush Compensation Scheme—meant to remedy losses and negative impacts on people’s lives—with legal aid unavailable to claimants. This has resulted in a low take-up of the scheme and a denial of the right to an effective remedy. A prominent immigration lawyer advocating for people affected by the Windrush scandal faced political and media attacks<sup>12</sup>.

During its UK visit in January 2023, the UN Working Group on People of African Descent raised “serious concerns about impunity and the failure to address racial disparities in the criminal justice system, deaths in police custody, ‘joint enterprise’ convictions and the dehumanising nature of the stop and (strip) search.” The working group also recommended a simplified compensation process for the Windrush generation, who it found had suffered “irreparable harm” with redress being “imperative.”

In March, a damning 363-page London Metropolitan police-commissioned report, known as the “Casey report” after author Baroness Casey of Blackstock, found that the London force is institutionally racist and failing Black Londoners, as well as women, children, and LGBT people.

---

<sup>11</sup> Encyclopaedia of human rights and social justice. Satya P. Kanan. 1st ed. New Delhi : Dominant Publishers and Distributors, c2006

<sup>12</sup> Encyclopedia of human rights [electronic resource]. Edited by David P. Forsythe. Oxford; New York: Oxford University Press, c2009.

Stop and searches and use of excessive force by Met police disproportionately affected Black people.

After several high-profile racially motivated attacks on Black students outside schools, a parliamentary briefing in March called on state-funded schools to comply with anti-discrimination polices and their duty to promote equality. Civil society research from January showed that schools with more Black and ethnic minority students are over-policed in the UK, with students subjected to strip searches by police, often without the presence of an adult<sup>13</sup>.

### **3.6. Sexual Orientation and Gender Identity**

In May, after his visit to the UK, the UN independent expert on protection against violence and discrimination based on sexual orientation and gender identity warned that abusive rhetoric by politicians and in the media was creating a climate of hostility against LGBT people in the UK and contributing to a surge in anti-LGBT violence. He also acknowledged the UK's valuable collection of disaggregated data on LGBT people but expressed concern at the government's undermining of protections for the rights of trans women and overrepresentation of LGBT people among the unhoused population.

### **3.7. Environmental and Climate Policies**

In 2023, the UK government<sup>14</sup> backtracked on key climate policies. In September 2023, Prime Minister Rishi Sunak announced, on the same day as the UN secretary-general's Climate Ambition Summit, that his government was delaying the 2030 phase-out of new petrol and diesel cars, the 2035 phase-out of gas boilers, and the requirement for landlords to improve the energy efficiency of their homes.

The government also sought to scrap key rules stemming from EU regulations on air pollution that enforce the need to publicly consult on plans to cut emissions.

In June, a London City Hall report showed that areas with large Black and diaspora immigrant communities faced the worst air quality. It follows earlier warning from civil society groups about the need to intensify action to tackle racial disparities of climate change effects in the UK.

### **3.8. Foreign Policy**

Since the outbreak of conflict in Sudan in April 2023, the UK has worked closely with international partners to address ongoing abuses and press for credible investigations and accountability. In May, the UK led the convening of a special session at the UN Human Rights

---

<sup>13</sup> Human and Constitutional Rights - National Links has links to countries and the treaties they have signed as well as to human rights groups working on those countries, truth commissions, lots of stuff. A great resource! See Human and Constitutional Rights - Web Resources and Documents

<sup>14</sup> Geneva Conventions: [http://avalon.law.yale.edu/subject\\_menus/lawwar.asp](http://avalon.law.yale.edu/subject_menus/lawwar.asp)



Council and later, it successfully led efforts to launch an independent international fact-finding mission for Sudan, responding to calls by Sudanese, regional, and international groups.

In July, the government announced targeted sanctions against six commercial entities linked to the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), but at time of writing, no sanctions had been imposed against military leaders or individuals<sup>15</sup>.

In December 2022, the UK led the first Security Council resolution on the situation in Myanmar and imposed further sanctions targeting the military junta. However, it has not since pushed for a stronger resolution at the Security Council, including one that imposes an arms embargo and sanctions.

In October 2023, the UK, along with Russia, abstained on a Security Council resolution calling for full humanitarian aid access to Gaza and the release of hostages held by Hamas and other Palestinian armed groups. That resolution, which the US vetoed, came after Israel imposed a total blockade on the Gaza Strip, blocking food, water, fuel, and electricity from reaching Gaza's civilian population, following the October 7 Hamas-led attack on Israel.

UK anti-immigrant policies at home have contributed to the government's failure to resettle vulnerable Afghans.

Despite Rwanda's targeting of Rwandans in the UK and support to the M23 who are committing atrocities in eastern Democratic Republic of Congo, the UK appears to be turning a blind eye to ongoing abuses, including by failing to call on Rwanda to end its assistance to the M23.

To date, the government has refused to provide the Chagossian people with full reparations, including their right to return, for its ongoing colonial crimes. The UK is in negotiations with Mauritius over the future of the islands, but there has been no effective consultation with the Chagossians, whom the UK forcibly evicted from the islands over 50 years ago, a crime against humanity.

The UK government is placing ever more priority on concluding trade deals with countries with poor human rights records, such as countries in the Gulf Cooperation Council and India, despite ongoing concerns about the lack of transparency, oversight, and inclusion of concrete human rights protections and commitments.

#### **4. Conclusion**

The UK played a mixed role in multilateral forums. In addition to its leadership on Sudan at the Human Rights Council, the UK ensured ongoing efforts to investigate and advance accountability for abuses in South Sudan, highlighted the violations accompanying Russia's

---

<sup>15</sup> Historical dictionary of human rights and humanitarian organizations. Robert F. Gorman, Edward S. Mihalkanin. 2nd ed. Lanham, Md. : Scarecrow Press, 2007





full-scale invasion of Ukraine, and supported a range of other important resolutions, including renewing the mandates on Russia and Belarus, and a joint statement on accountability for the Beirut blast. At the UN General Assembly, the UK led a joint statement condemning the Chinese government's crimes against humanity committed against Uyghurs. Conversely, the UK continued to undermine the Commission of Inquiry on the Occupied Palestinian Territory and Israel and voted against other resolutions on human rights in Israel and Palestine. The UK also signed a 2030 roadmap for Israel/UK bilateral relations, which commits the UK to shielding Israel from scrutiny at the Human Rights Council and opposes the International Court of Justice's advisory opinion on the legal consequences of Israel's prolonged occupation and repression of Palestinians. They again voted against a resolution on racism, racial discrimination, xenophobia and related intolerance.

## 5. References

A guide to human rights: institutions, standards, procedures. Edited by Janusz Symonides and Vladimir Volodin; preface by Koïchiro Matsuura. 2003 ed. Paris: Unesco, 2003.

Aboriginal Law and Legislation: <http://www.bloorstreet.com/300block/ablawleg.htm>

Basic documents on human rights. Edited by Ian Brownlie and Guy S. Goodwin-Gill. 5th ed. Oxford ; New York : Oxford University Press, 2006.

Encyclopaedia of human rights and social justice. Satya P. Kanan. 1st ed. New Delhi : Dominant Publishers and Distributors, c2006

Encyclopedia of human rights [electronic resource]. Edited by David P. Forsythe. Oxford; New York: Oxford University Press, c2009.

Encyclopedia of war crimes and genocide. Leslie Alan Horvitz and Christopher Catherwood. New York : Facts on File, c2006.

Firestone Library (F) HV6322.7 .H67 2006

Firestone Library (F) JC571 .K36 2006

Firestone Library (F) JC571 .M3243 2000

Firestone Library (F) K3238 .B37 2006

Firestone Library: Non Circulating (Fnc) JC571 .G655 2007

Geneva Conventions: [http://avalon.law.yale.edu/subject\\_menus/lawwar.asp](http://avalon.law.yale.edu/subject_menus/lawwar.asp)

Historical dictionary of human rights and humanitarian organizations. Robert F. Gorman, Edward S. Mihalkanin. 2nd ed. Lanham, Md. : Scarecrow Press, 2007



**Jurnal Daulat Hukum**  
Volume 7 No. 3, September 2024  
ISSN: 2614-560X  
**SINTA 3** Decree No.  
0547/ES/DT.05.00/2024  
Dated May 15, 2024

*The Human Rights Conditions That Affect Politics...*  
(Rachel R. Cornell)

<https://www.bbc.com/news/politics>

<https://www.hrw.org/world-report/2024/country-chapters/united-kingdom>

Human and Constitutional Rights - National Links has links to countries and the treaties they have signed as well as to human rights groups working on those countries, truth commissions, lots of stuff. A great resource!

Human and Constitutional Rights - Web Resources and Documents

International encyclopedia of human rights: freedoms, abuses, and remedies. Robert L. Maddex. Washington, D.C. : CQ Press, c2000.

Trustee Reading Room Reference (DR) JC571 .E673 2009

Trustee Reading Room Reference (DR): Firestone JC571 .G85 2003

Truth Commissions Digital Collection (U.S. Institute of Peace:  
<http://www.usip.org/library/formin.html>

University of Minnesota Human Rights Library